

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

December 2, 2015

No. 11-3440

NATIONAL LABOR RELATIONS BOARD,
Petitioner

1199 SEIU UNITED HEALTHCARE WORKERS EAST, N.J. REGION,
Intervenor

v.

NEW VISTA NURSING AND REHABILITATION,
Respondent

Nos. 12-1027 & 12-1936

NEW VISTA NURSING AND REHABILITATION, LLC,
Petitioner

v.

NATIONAL LABOR RELATIONS BOARD,
Respondent

1199 SEIU UNITED HEALTHCARE WORKERS EAST, N.J. REGION,
Intervenor

(NLRB: 22-CA-29988)

Present: SMITH, GREENAWAY, Jr. and VAN ANTWERPEN, Circuit Judges

1. Motion by Petitioner/Cross Respondent NLRB Request the Court Remand the Administrative Record to the Board for a Period of 30 Days, for Limited Purpose of addressing the Company's last three motions for Reconsideration dated January 3, March 14 and March 22, 2012;

2. Response by Respondent/Cross Petitioner New Vista Nursing and Rehabilitation to Motion to Remand;

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3. Reply by Petitioner/Cross Respondent NLRB to New Vista's Response to Motion for Limited Remand of the Administrative Record.

Respectfully,
Clerk/pdb

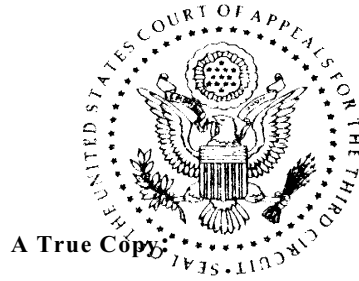
ORDER

The foregoing Motion is GRANTED IN PART. The motion is GRANTED with respect to the request for remand. The motion is DENIED with respect to the 30 day limitation. Having granted the motion to remand, the oral argument scheduled for Thursday December 10, 2015 at 10:00 A.M. need not be conducted. Per section 10(e) of the National Labor Relations Act, this Court will retain jurisdiction over this matter.

By the Court,

s/ D. Brooks Smith
Circuit Judge

Dated: December 4, 2015
PDB/cc: All Counsel of Record



Marcia M. Waldron
Marcia M. Waldron, Clerk